

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
FORT MYERS DIVISION

LOUIS M. GARRIDO,

Plaintiff,

v.

Case No. 2:21-cv-171-NPM

JOSEPH A. FISCELLA and  
USA SECURITY SERVICES INC.

Defendants.

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**ORDER**

Before the Court is a joint motion for approval of the parties' Fair Labor Standards Act settlement agreement (Doc. 19). The parties have consented to trial by U.S. Magistrate Judge (Doc. 22). Here, the parties request the Court approve their FLSA settlement agreement and dismiss the case with prejudice. (Doc. 19). Based on its careful review of the parties' submissions, the Court approves their FLSA settlement agreement.

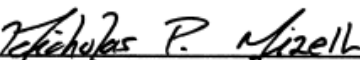
Plaintiff Louis Garrido brought this FLSA action to recover unpaid wages from Defendants Joseph A. Fiscella and USA Security Services Inc. (Doc. 1). To avoid any risk about the enforceability of its release of rights under the FLSA, the parties seek Court approval of their settlement. To approve a settlement, "the cardinal rule is that the District Court must find that the settlement is fair, adequate

and reasonable and is not the product of collusion between the parties.” *In re Smith*, 926 F.2d 1027, 1029 (11th Cir. 1991) (citations omitted).

Both parties were represented by competent and experienced counsel throughout the case, and they agree the settlement represents a reasonable compromise. (Doc. 19, p. 4). Under the parties’ settlement agreement, Garrido will receive: (1) \$870.00 for minimum wages; (2) \$870.00 for liquidated damages; (3) \$2,330.00 for unpaid wages; (4) \$4,275.00 for attorneys’ fees; and (5) \$515.00 for costs incurred in connection with the instant action. (Doc. 19, p. 4). Finally, the amounts set aside for attorneys’ fees and costs were negotiated separately and without regard to the amount paid to Garrido. (Doc. 19, p. 4).

Accordingly, the Court finds there was no undue influence, overreaching, collusion or intimidation in reaching this settlement. Moreover, on its face, the settlement appears to be a fair, adequate, and reasonable resolution of a bona fide dispute between the parties. As such, judicial approval of the parties’ settlement agreement is **GRANTED**. Plaintiff Garrido’s motion for default judgment (Doc. 14) is **DENIED AS MOOT**. This case is **DISMISSED**. The Clerk is directed to cancel all deadlines and scheduled events and close this case.

**ORDERED** in Fort Myers, Florida on November 16, 2021.

  
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NICHOLAS P. MIZELL  
UNITED STATES MAGISTRATE JUDGE